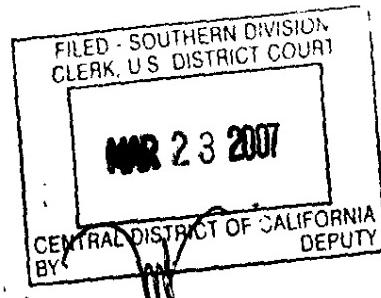


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dba THE ORANGE COUNTY REGISTER

Priority _____
Send _____
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JS-5 JS-6 YES
JS-2 JS-3 _____
Scan Only _____

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22 Attorneys for Plaintiffs

SACU 06-1744

24 UNITED STATES DISTRICT COURT
25 DOCKETED ON CM CENTRAL DISTRICT OF CALIFORNIA
26 MAR 30 2007

27 BY 024

28 STIPULATION RE: REMAND

1 NELSON GONZALEZ, MARCO
2 GARCIA, REYMUNDO GARCIA,
3 AYMER AVILA, JULIAN NUNEZ,
4 LUIS A. ARTEAGA, JUAN CARLOS
5 TORRES, ROBERTO LOPEZ, AND
6 NESTOR ALVAREZ, on their own
7 behalf and on behalf of all others
similarly situated,

8 Plaintiff,

9 v.

10 FREEDOM COMMUNICATIONS,
11 INC. DBA THE ORANGE COUNTY
12 REGISTER, a California corporation;
13 and DOES 1 through 50, inclusive,

14 Defendant.

15 WHEREAS, the parties acknowledge and agree that Plaintiffs filed a Third
16 Amended Complaint in this action in this Court on or about March 6, 2007;

17 WHEREAS, the parties acknowledge and agree that Plaintiffs have
18 voluntarily dismissed all claims for employee benefits under any of Defendant's
19 benefits plans, including those governed by the Employee Retirement Income
20 Security Act of 1974, 29 U.S.C. §§ 1001, et seq. ("ERISA");

21 WHEREAS, the parties acknowledge and agree that the Court should find
22 such dismissal of all claims for employee benefits by Plaintiffs to be without
23 prejudice;

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Case No. **SACV06-1244 CJC**
(MLGx)

Judge: Cormac J. Carney
Dept.: 9B
(OCSC Case No. 03CC08756, CX
101)

Complaint Filed: July 7, 2003
Trial Date: No Date Set

**STIPULATION RE: REMAND;
[PROPOSED ORDER]**

03-20-07 11:12am FIRM:SEYFARTH SHAW

310-201-5218

T-474 P.006/006 F-898

NO. 3092 P. 4/5

1 NOW, THEREFORE, THE PARTIES HERETO STIPULATE: (1)
2 Paragraph Three of the Prayer for Damages shall be stricken from the Third
3 Amended Complaint; (2) The case should be remanded forthwith to Orange
4 County Superior Court, Complex Division; (3) Defendant shall have thirty (30)
5 days from the effective date of the remand to answer or otherwise respond to the
6 Third Amended Complaint.

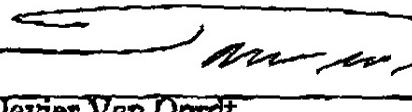
7
8 DATED: March 22, 2007

SEYFARTH SHAW

9
10 By 
Eric M. Sternert
11 Attorneys for Defendant
12 FREEDOM COMMUNICATIONS,
13 INC. DBA THE ORANGE COUNTY
REGISTER

14 DATED: March 21, 2007

CALLAHAN & BLAINE

15 By 
Javier Van Oordt

16 DATED: March 20, 2007

COHELAN & KHOURY

17 By 
Timothy D. Cohegan

18
19
20
21
22 Attorneys for Plaintiffs
23 NELSON GONZALEZ, REYMUNDO
24 GARCIA, AYMER AVILA, JUAN
CARLOS TORRES, AND JULIAN
NUNEZ

25

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3 -
STIPULATION RE: REMAND

ORDER

The Court hereby orders as follows:

3 On or about February 26, 2007, the Court denied Plaintiffs' Motion to
4 Remand in this matter. At the hearing on Plaintiffs' Motion to Remand, the Court
5 granted Plaintiffs leave to file a Third Amended Complaint. On or about March 6,
6 2007, Plaintiffs filed a Third Amended Complaint in this action.

The Court has reviewed the Third Amended Complaint, and determines that Plaintiffs have voluntarily dismissed any claim for employee benefits under any of Defendant's benefits plans, including those governed by the Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1001, et seq. ("ERISA"). The Court finds that no federal claim is pled in Plaintiffs' Third Amended Complaint and, therefore, that no basis exists for federal jurisdiction in this matter.

13 Accordingly, this case is ordered remanded to the Orange County Superior
14 Court, Complex Division. The Parties have stipulated that Defendant shall have
15 thirty (30) days from the effective date of remand to answer or otherwise respond
16 to the Third Amended Complaint.

18 | IT IS SO ORDERED

19 DATED: March 23, 2007

By C. J. C.
JUDGE OF THE UNITED STATES
DISTRICT COURT, CENTRAL
DISTRICT OF CALIFORNIA

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
SS

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Seyfarth Shaw LLP, 2029 Century Park East, Suite 3300, Los Angeles, California 90067-3063. On March 22, 2007, I served the within document:

STIPULATION RE: REMAND; [PROPOSED] ORDER

- I sent such document from facsimile machine (310) 201-5219 on March 22, 2007. I certify that said transmission was completed and that all pages were received and that a report was generated by facsimile machine (310) 201-5219 which confirms said transmission and receipt. I, thereafter, mailed a copy to the interested party(ies) in this action by placing a true copy thereof enclosed in sealed envelope(s) addressed to the parties listed below.

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, addressed as set forth below.

by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

by placing the document(s) listed above, together with an unsigned copy of this declaration, in a sealed Federal Express envelope with postage paid on account and deposited with Federal Express at Los Angeles, California, addressed as set forth below.

by transmitting the document(s) listed above, electronically, via the e-mail addresses set forth below.

Timothy D. Cohelan/Isam C. Khoury/Michael D. Singer/Peggy Reali
Cohelan & Khoury
605 "C" Street, Suite 200
San Diego, CA 92101

Daniel J. Callahan/Michael J. Sachs/Javier Van Oordt/Kathleen L. Dunham
Callahan & Blaine
3 Hutton Centre Drive, Suite 900
Santa Ana, California 92707

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on March 22, 2007, at Los Angeles, California.

Stella Gardiner